

Express Mail #EL930368411US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Registration No: 1,257,100  
Registration Date: November 8, 1983  
Mark: PIONEER FINANCIAL and Design

Pioneer Licensing Services, Inc.

Petitioner

vs.

Pioneer Financial a Cooperative Bank

Respondent.

Cancellation No. \_\_\_\_\_



07-17-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #71

TRADEMARK TRIAL AND  
APPEAL BOARD  
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**PETITION FOR CANCELLATION**

Petitioner Pioneer Licensing Services, Inc., a Nevada corporation having offices at 3050 E. Desert Inn Road, No. 125, Las Vegas, Nevada 89121, believes that it is and will continue to be damaged by Registration No. 1,257,100, and hereby petitions to cancel said registration. As grounds therefore, it is alleged that:

1. The last listed owner of the cited registration according to the United States Trademark Electronic Search System (TESS) database is Pioneer Financial A Cooperative Bank, a Massachusetts corporation located at 46 Pleasant Street, Malden, Massachusetts 02148.
2. Registration No. 1,257,100 is for the mark PIONEER FINANCIAL and Design, for use in connection with banking services in International Class 36.
3. Petitioner states that although there is no assignment listed of record, according to

Petitioner's investigation in 1994 the listed owner was apparently merged into or changed its

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name to the Bank of Boston which, in turn, merged into or changed its name to Fleet Bank

4. Petitioner has filed an application to register the mark PIONEER SERVICES, for use in connection with retail store services featuring general consumer goods in International Class 35, consumer credit counseling in International Class 36, and educational services, namely consumer credit counseling in International Class 41. That application is presently pending as Serial No. 76/143,542.

5. Petitioner's application to register the mark PIONEER SERVICES and Design has been refused by the Trademark Office under Section 2(d) of the Trademark Act due to a claimed likelihood of confusion with Registration, No. 1,257,100.

6. Respondent is the last listed owner of record of U.S. trademark registration No. 1,257,100 for the mark PIONEER FINANCIAL and Design for banking services.

7. On information and belief, Respondent, or its successors in interest, has abandoned the registered mark PIONEER FINANCIAL by discontinuing use of said mark with no intent to resume use of said mark.

8. Petitioner is damaged by the continuance of Registration No. 1,257,100 in that Petitioner's application to register PIONEER SERVICES and Design, Serial No. 76/143,542 is being refused based upon Registration No. 1,257,100.

WHEREFORE, Petitioner prays that Registration No. 1,257,100 be cancelled, that this Petition for Cancellation be sustained in favor of Petitioner and that the continued registration of PIONEER FINANCIAL and Design, Registration No. 1,257,100 be denied to Respondent.

Petitioner has enclosed the filing fee of \$300. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 12-1660.

This Petition for Cancellation is being filed in triplicate.

Respectfully submitted,

SHUGHART, THOMSON & KILROY, P.C.

By:

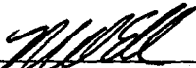


Michael Elbein  
Lawrence A. Swain  
Twelve Wyandotte Plaza  
120 W. 12th Street, Suite 1500  
Kansas City, Missouri 64105  
(816) 421-3355 Telephone  
(816) 374-0509 Telecopier

ATTORNEYS FOR PETITIONER

I hereby certify that this  
Petition for Cancellation is being  
deposited with the United  
States Postal Service in triplicate  
as Express Mail Post Office to  
Addressee No. EL930368411US,  
in an envelope addressed to:  
BOX TTAB, FEE, Commissioner  
for Trademarks, 2900 Crystal Drive,  
Arlington, Virginia 22202-3513,  
on July 16, 2002.

Pioneer Licensing Services, Inc.  
(Petitioner)



Michael Elbein

July 16, 2002

Date of Signature

The Law Firm Of



A Professional Corporation

**Michael Elbein**

melbein@stklaw.com

Direct Dial (816) 374-0554

Fax (816) 374-0509

July 16, 2002

**Express Mail #EL930368411US**

Commissioner for Trademarks

BOX TTAB, FEE

2900 Crystal Drive

Arlington, VA 22202-3513



07-17-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #71

Re: *Petition for Cancellation in Registration No. 1,257,100*

Dear Sir:

Enclosed for filing is a Petition for Cancellation with regard to the above-referenced trademark, filed on behalf of Pioneer Licensing Services, Inc. The Petition for Cancellation is submitted in triplicate. Also enclosed is our check No. 357809 in the amount of \$300.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 12-1660. A Duplicate of this sheet is also enclosed.

Thank you for your cooperation and assistance.

Very truly yours,

Michael Elbein

ME:lth

Enclosures